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Attorneys for Plaintiffs UNIFIED
WESTERN GROCERS, INC.; CERTIFIED
GROCERS OF CALIFORNIA, LTD.;
GROCERS SPECIALTY COMPANY;
ALFRED A. PLAMANN; CHARLES
PILLITER; DANIEL T. BANE;
ROBERT M. LING; AND DAVID A.
WOODWARD

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

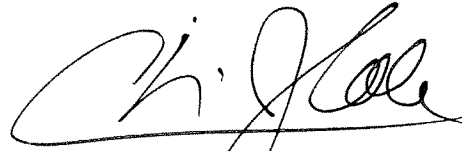
UNIFIED WESTERN GROCERS, INC.;	)	CIVIL NO. CV03-00336 HG BMK
CERTIFIED GROCERS OF	)	(Declaratory Judgment)
CALIFORNIA, LTD.; GROCERS)	
SPECIALTY COMPANY; ALFRED A.	)	PLAINTIFFS' STATEMENT OF NO
PLAMANN; CHARLES PILLITER;	)	OPPOSITION TO DEFENDANT
DANIEL T. BANE; ROBERT M. LING;	)	TWIN CITY FIRE INSURANCE
and DAVID A. WOODWARD,	)	COMPANY'S MOTION FOR
	)	LEAVE TO FILE AMENDED
Plaintiffs,	)	ANSWER, FILED APRIL 5, 2007;
	)	CERTIFICATE OF SERVICE
vs.)	
)	
TWIN CITY FIRE INSURANCE	)	Date: June 14, 2007
COMPANY, an Indiana Corporation,	)	Time: 11:30 a.m.
	)	Judge: Barry M. Kurren
Defendant.)	
	)	Trial Set: November 6, 2007

PLAINTIFFS' STATEMENT OF NO OPPOSITION TO
DEFENDANT TWIN CITY FIRE INSURANCE COMPANY'S
MOTION FOR LEAVE TO FILE AMENDED ANSWER, FILED APRIL 5, 2007

Plaintiffs above named, by and through their undersigned counsel and pursuant to Local Rule 7.4, state that they do not oppose Defendant Twin City Fire Insurance Company's ("Twin City") "Motion for Leave to File Amended Answer" filed on April 5, 2007 (the "Motion"). Plaintiffs do **not** agree or concede that Twin City's proposed new affirmative defenses have any merit or even that they make any sense or apply in the context of this case. Moreover, Twin City's proposed new defenses, as and to the extent they are understood by Plaintiffs, may well become moot or unnecessary in view of the issues to be determined in this case. Nevertheless, Plaintiffs agree with Twin City that "the Rule 15 policy of permitting amendments should be applied with 'extreme liberality[,]'" and that "all inferences [should be] drawn in favor of granting the motion[.] . . ." See Motion, at p. 6 (citing DCD Programs, Ltd. v. Leighton, 833 F.2d 183, 186 (9th Cir. 1987) and Griggs v. Pace Am. Group, Inc., 170 F.3d 977 (9th Cir. 1999)) (emphasis added). This same "extreme liberality" standard will be applied to Plaintiff Unified Western Grocers, Inc.'s pending motion for leave to amend its own pleadings and

the other plaintiffs' substantive joinder therein. Accordingly, Plaintiffs do not oppose the Motion.

DATED: Honolulu, Hawaii, MAY 25 2007.

A handwritten signature in black ink, appearing to read 'W. C. McCorrison', written over a horizontal line.

WILLIAM C. MCCORRISTON
CHRISTOPHER J. COLE
JONATHAN H. STEINER

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DANIEL T. BANE; ROBERT M. LING;)	
and DAVID A. WOODWARD,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
TWIN CITY FIRE INSURANCE)	
COMPANY, an Indiana Corporation,)	
)	
Defendant.)	
)	

CERTIFICATE OF SERVICE

I hereby certify that, on May 25, 2007 and by the methods of service noted below, a true and correct copy of the foregoing document was duly served upon the following persons at their last known addresses:

Served Electronically through CM/ECF:

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Served via Mail:

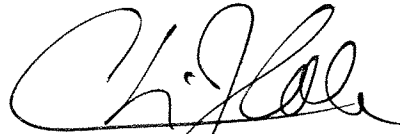
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DATED: Honolulu, Hawaii, MAY 25 2007.



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